

ORDINANCE NO. 97- 12

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS
2 OF PALM BEACH COUNTY, FLORIDA, TO BE ENTITLED "THE
3 PALM BEACH COUNTY RECLAIMED WATER ORDINANCE";
4 PROVIDING FOR AUTHORITY AND PURPOSE; PROVIDING FOR
5 APPLICABILITY; SETTING FORTH OBJECTIVES; PROVIDING
6 FOR DEFINITIONS; PROVIDING FOR USE OF RECLAIMED
7 WATER WITHIN THE PALM BEACH COUNTY WATER UTILITIES
8 DEPARTMENT SERVICE AREA; PROVIDING FOR A STANDARD
9 RECLAIMED WATER DEVELOPMENT AGREEMENT; PROVIDING
10 FOR DESIGN AND CONSTRUCTION STANDARDS FOR THE
11 RECLAIMED WATER DISTRIBUTION SYSTEM AND THE
12 RECLAIMED WATER IRRIGATION SYSTEM; PROVIDING FOR
13 CONNECTION TO THE RECLAIMED WATER DISTRIBUTION
14 SYSTEM; PROVIDING FOR APPROVED USES OF RECLAIMED
15 WATER; PROVIDING FOR COSTS TO REPAIR DAMAGE TO THE
16 RECLAIMED WATER DISTRIBUTION SYSTEM; PROVIDING FOR
17 PROHIBITIONS FOR USE OF RECLAIMED WATER AND THE
18 RECLAIMED WATER DISTRIBUTION SYSTEM; PROVIDING FOR
19 SPECIAL ASSESSMENTS; PROVIDING FOR AUTHORITY TO
20 LIEN PROPERTY FOR UNPAID FEES; PROVIDING FOR
21 ENFORCEMENT ACTION; PROVIDING FOR JUDICIAL
22 ENFORCEMENT; PROVIDING FOR SAVINGS CLAUSE;
23 PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING
24 FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE
25 CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN
26 EFFECTIVE DATE.

27
28 WHEREAS, the Board of County Commissioners of Palm Beach
29 County is devoted to promoting environmentally, economically
30 and technically feasible technologies for water conservation;
31 and

32 WHEREAS, the Board of County Commissioners of Palm Beach
33 County recognizes that the use of reclaimed water offers
34 significant advantages to both the environment and consumers
35 by reducing the demand on potable water resources and
36 facilities; and

37 WHEREAS, the Board of County Commissioners of Palm Beach
38 County deems this Ordinance to be in the best interest of the
39 health, safety and welfare of the citizens of Palm Beach
40 County and is necessary for the protection and conservation of
41 our water resources and environment.

1 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
2 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

3 **Section 1. Short Title**

4 This ordinance shall be known as the "Palm Beach County
5 Reclaimed Water Ordinance".

6 **Section 2. Table of Contents**

7	Section 1. Short Title	2
8	Section 2. Table of Contents	2
9	Section 3. Authority and Purpose	3
10	Section 4. Applicability	4
11	Section 5. Objective	4
12	Section 6. Definitions	4
13	Section 7. Use of Reclaimed Water within the Palm	
14	Beach County Water Utilities Department	
15	Service Area	8
16	(A) Mandatory Use Within the MRWSA	8
17	(B) Mandatory Use Within 300 Feet of Main	8
18	(C) Voluntary Use of Reclaimed Water	9
19	Section 8. Standard Reclaimed Water Development	
20	Agreement	9
21	Section 9. Design and Construction Standards for the	
22	Reclaimed Water Distribution System and	
23	the Reclaimed Water Irrigation System	10
24	(A) Reclaimed Water Distribution System	10
25	(B) Reclaimed Water Irrigation System	11
26	(C) Credit/Reimbursement for Oversized	
27	Facilities	11
28	(D) Plan Review and Construction Inspection	12
29	Section 10. Connection to the Reclaimed Water	
30	Distribution System	12
31	(A) Meters Required	12
32	(B) Service Initiation.	12
33	(C) Rules, Regulations and Fees	13
34	(D) Operation and Maintenance Responsibilities	
35	For the Reclaimed Water Irrigation System	13
36	Section 11. Approved Uses of Reclaimed Water	13
37	Section 12. Damage to the Reclaimed Water Distribution	
38	System	14

1 Section 13. Prohibitions for use of Reclaimed Water and
2 the Reclaimed Water Distribution System . . 14
3 Section 14. Special Assessments 15
4 Section 15. Authority to Lien Property for Unpaid Fees . 16
5 Section 16. Enforcement Action 16
6 (A) Immediate threat to public health 16
7 (B) Other violations 16
8 Section 17. Judicial Enforcement 17
9 (A) Injunctive relief 17
10 (B) Penalties 18
11 Section 18. Savings Clause 18
12 Section 19. Repeal of Laws In Conflict 18
13 Section 20. Severability. 18
14 Section 21. Inclusion in Code of Laws and Ordinances . . 19
15 Section 22. Effective date. 19

16 **Section 3. Authority and Purpose**

17 This Ordinance is created in accordance with Chapter 125,
18 Florida Statutes, Section 403.064, Florida Statutes, and
19 Chapter 62-610, Florida Administrative Code, and provides for
20 the encouragement and use of reclaimed water to protect the
21 environment and conserve Palm Beach County's potable water
22 supply.

23 Subject to the direction of the Board of County
24 Commissioners or the County Administrator, all powers, duties,
25 and authorities relating to the operation of the facilities of
26 the Water Utilities Department for the Board of County
27 Commissioners, are vested in the Director of the Water
28 Utilities Department unless specifically vested elsewhere by
29 the provisions of this Ordinance. In the absence of the
30 Director of the Water Utilities Department, a Supervisor over
31 the Director of the Water Utilities Department, or an
32 individual specifically appointed by the County Administrator,
33 may assume the powers, duties, and authority vested by this
34 section.

1 **Section 4. Applicability**

2 This Ordinance shall apply to unincorporated and
3 incorporated areas of Palm Beach County located within the
4 Palm Beach County Water Utilities Department service area, as
5 amended from time to time, and shall be liberally construed to
6 effectuate the purposes set forth herein.

7 **Section 5. Objective**

8 The objective of this Ordinance is to set forth
9 requirements for the use of reclaimed water and the
10 construction of reclaimed water facilities within the Palm
11 Beach County Water Utilities Department service area. This
12 Ordinance will enable the County to be in compliance with all
13 applicable federal and state laws, rules, and regulations as
14 they pertain to reclaimed water.

15 **Section 6. Definitions**

16 As used in this Ordinance, the following words and
17 phrases have the meaning ascribed herein, unless a different
18 meaning is set forth in another section of this Ordinance or
19 the context clearly indicates otherwise.

20 (A) **BACKFLOW PREVENTION ASSEMBLY:** a backflow prevention
21 assembly shall mean a device and/or method of construction
22 used to prevent backflow into a potable and/or reclaimed water
23 system. The type of assembly used shall be based on the
24 degree of hazard, either existing or potential.

25 (B) **COUNTY:** Palm Beach County, Florida, a political
26 subdivision of the State of Florida.

1 (C) **CROSS-CONNECTION:** any physical arrangement whereby a
2 potable and/or reclaimed water supply is connected, directly
3 or indirectly, with any other system capable of imparting
4 contamination to the potable and/or nonpotable water supply as
5 the result of backflow.

6 (D) **CUSTOMER:** any person, dwelling unit, agent, property
7 owner, developer, user, company, municipal corporation,
8 political subdivision, homeowners association or other entity
9 which accepts or receives reclaimed water service or benefits
10 directly from services rendered by the Department.

11 (E) **DEPARTMENT:** the Palm Beach County Water Utilities
12 Department.

13 (F) **DEVELOPMENT:** all projects with non-residential
14 connections and all residential projects including twenty (20)
15 or more dwelling units.

16 (G) **DIRECTOR:** the Director of the Palm Beach County Water
17 Utilities Department or the duly authorized representative.

18 (H) **DWELLING UNIT:** a single unit designated or intended
19 for one-family occupancy (a household of one or more persons),
20 including, but not limited to, one single-family house, one-
21 half of a duplex, one apartment, or one mobile home.

22 (I) **EQUIVALENT RESIDENTIAL IRRIGATION CONNECTION (ERIC):**
23 a system capacity equivalency unit which corresponds to the
24 average reclaimed water demand of the 5/8" x 3/4" meter sub-
25 category of the single family residential category of customer
26 usage. This system capacity equivalency unit is utilized to
27 establish the reclaimed water system demand for various sized
28 connections for the purpose of assessing fees and reserving
29 capacity.

1 (J) **IRRIGATION:** the use of water to maintain and enhance
2 the growth of lawns, shrubs, trees, or edible crops as set
3 forth in Chapter 62-610, Florida Administrative Code.

4 (K) **MANDATORY RECLAIMED WATER SERVICE AREA (MRWSA):** a
5 limited area surrounding the Southern Region Water Reclamation
6 Facility which is comprised of or includes: Sections 4, 5, 8
7 & 9; the West ½ of Section 3; the West ½ of Section 10 of
8 Township 46 South and Range 42 East; the South ½ of Section
9 32; the South ½ of Section 33; and the Southwest 1/4 of
10 Section 34 of Township 45 South and Range 42 East. In
11 addition, if all or any portion of a Development falls within
12 the MRWSA, the entire Development shall be subject to
13 mandatory reclaimed water service.

14 (L) **NON-RESIDENTIAL CONNECTIONS:** all connections that
15 are not in either the single-family dwelling unit category or
16 the multiple-family dwelling unit category. The non-
17 residential connection category is to be separated into
18 subcategories by meter size. The non-residential connection
19 fee is determined by meter size. Non-residential connections
20 shall also include: (1) Master-metered dormitory style
21 apartments and Congregate Living Facilities with: (a) units
22 designed solely for single occupancy, or (b) up to 450 square
23 feet per unit with or without a central dining facility, or
24 (c) units without built-in individual food preparation
25 facilities and with a central dining facility; (2) Motels,
26 hotels, bed and breakfast facilities and incarceration
27 facilities; (3) Campgrounds; and (4) Golf Courses.

1 (M) **PERSON:** includes individuals, firms, associations,
2 joint ventures, partnerships, estates, trusts, corporations,
3 and all other groups or combinations.

4 (N) **POINT OF SERVICE:** the outlet side of the Department's
5 reclaimed water meter box or other point identified on
6 construction plans which ends the Department's ownership,
7 operation and maintenance responsibility.

8 (O) **PROPERTY OWNER:** one in whom the legal title to real
9 estate is vested as recorded in the public records of the
10 State of Florida.

11 (P) **RECLAIMED WATER:** water that has received at least
12 secondary treatment and basic disinfection and is reused after
13 flowing out of a wastewater treatment facility (Florida
14 Administrative Code Chapter 62-610).

15 (Q) **RECLAIMED WATER DISTRIBUTION SYSTEM:** a network of
16 pipes, pumping facilities, storage facilities, and related
17 appurtenances designed to convey and distribute reclaimed
18 water from one or more wastewater treatment facilities up to
19 the Department's side of the Point of Service.

20 (R) **RECLAIMED WATER IRRIGATION SYSTEM:** a network of
21 pipes, pumping facilities, storage facilities, sprinkler
22 heads, and appurtenances on the customer's side of the Point
23 of Service designed to convey and apply reclaimed water.

24 (S) **RESIDENTIAL CONNECTIONS:** include (1) a single-family
25 residential connection whereby the units do not share a common
26 wall with another unit, or dwelling units that are
27 simultaneously common-walled, individually metered, and not
28 defined as a multiple-family dwelling unit; and (2) a
29 multiple-family residential connection whereby all residential

1 dwelling units are one of several units that share one or more
2 common walls and which are either master metered or
3 individually metered but grouped in a common-walled structure
4 having more than one floor of one-level units. All mobile
5 home units qualify as multiple family units. For single
6 family residential connections, the connection fee is
7 determined by meter size. For multiple-family residential
8 connections, the connection fee is determined by the number of
9 dwelling units.

10 (T) **SERVICE:** the readiness and ability on the part of
11 Department to furnish reclaimed water to the property.

12 (U) **SERVICE INITIATION:** the date a reclaimed water meter
13 is installed.

14 (V) **UPAP:** the Uniform Policies and Procedures Manual of
15 the Palm Beach County Water Utilities Department as adopted
16 and amended from time to time by the Palm Beach County Board
17 of County Commissioners.

18 **Section 7. Use of Reclaimed Water within the Palm Beach**
19 **County Water Utilities Department Service Area**

20 (A) **Mandatory Use Within the MRWSA:**

21 The use of reclaimed water for irrigation is mandatory
22 for any new Development within the MRWSA as defined
23 hereinabove. The Property Owner of said new Development shall
24 construct, connect to, and use reclaimed water as set forth in
25 this Ordinance, the UPAP, and the Standard Reclaimed Water
26 Development Agreement ("SRWDA").

27 (B) **Mandatory Use Within 300 Feet of Main:**

28 The use of reclaimed water for irrigation is mandatory
29 for all new Development, as defined hereinabove, upon all or

1 any portion of property located outside the MRWSA but within
2 300 feet of a Reclaimed Water Distribution Main at the time of
3 plan submittal for said Development. The Property Owner of
4 said new Development shall construct, connect to, and use
5 reclaimed water as set forth in this Ordinance, the UPAP, and
6 the SRWDA.

7 (C) Voluntary Use of Reclaimed Water:

8 Properties outside the MRWSA and not currently within 300
9 feet of a Reclaimed Water Distribution Main are encouraged to
10 and may connect to the Reclaimed Water Distribution System
11 upon approval of the Department, and shall construct, connect
12 to, and use reclaimed water as set forth in this Ordinance,
13 the UPAP, and the SRWDA.

14 **Section 8. Standard Reclaimed Water Development Agreement**

15 Each and every Property Owner seeking to obtain
16 reclaimed water service where extension of the Reclaimed Water
17 Distribution System is necessary shall be required to execute
18 a SRWDA, as set forth in the UPAP, which shall be recorded in
19 the public records of Palm Beach County. The Department may
20 administratively process the information submitted by the
21 Property Owner as required by the SRWDA pending approval by
22 the Board of County Commissioners or its designee. There is
23 no contract for reclaimed water service availability until the
24 SRWDA is fully executed by all parties to the Agreement.

25 By entering into an SRWDA, the Property Owner identifies
26 the anticipated system capacity needs in accordance with the
27 SRWDA and the UPAP. The SRWDA in no way entitles the Property
28 Owner to densities which are greater than those allowed under

1 the density provisions of the Comprehensive Plan of Palm Beach
2 County, or to densities or development rights as may be
3 otherwise limited by the Board of County Commissioners.

4 In accordance with the requirements as set forth herein,
5 in the SRWDA, and in the UPAP, the Property Owner shall, at
6 his sole cost and expense, design and construct the Reclaimed
7 Water Distribution System up to the Point of Service and
8 transfer ownership and control of same to the County at no
9 cost. Further, the Property Owner shall, at his sole cost and
10 expense, design, construct, operate and maintain a Reclaimed
11 Water Irrigation System on the Property Owner's side of the
12 Point of Service.

13 In accordance with the requirements set forth herein, in
14 the SRWDA, and in the UPAP, the Property Owner shall grant an
15 easement to the County for purposes included but not limited
16 to construction, ownership, maintenance, operation and
17 expansion of the Reclaimed Water Distribution System within
18 the dedicated easement area.

19 **Section 9. Design and Construction Standards for the**
20 **Reclaimed Water Distribution System and the**
21 **Reclaimed Water Irrigation System**

22 (A) Reclaimed Water Distribution System:

23 With regard to the design and construction of the
24 Reclaimed Water Distribution System, the Property Owner shall
25 adhere to and follow the minimum design and construction
26 standards as set forth in the UPAP. The Department must
27 inspect the construction of the Reclaimed Water Distribution
28 System and determine same to be in compliance with the UPAP
29 prior to providing permanent reclaimed water service to the
30 property. The Property Owner shall warrant the construction

1 of the Reclaimed Water Distribution System for one year from
2 the date of final certification and acceptance of same by
3 County.

4 (B) Reclaimed Water Irrigation System:

5 The Property Owner shall design and construct the
6 Reclaimed Water Irrigation System in accordance with federal,
7 state, and local standards. In addition, the Property Owner
8 shall ensure that spray equipment utilized for applying
9 reclaimed water be designed and located so as to minimize
10 surface run-off, ponding or aerosol carryover from the
11 application area.

12 The Property Owner shall properly tag or label the
13 Reclaimed Water Irrigation System in order to notify the
14 public that the reclaimed water is not intended for drinking
15 purposes. All piping, valves, outlets, and related
16 appurtenances shall be color coded purple or otherwise marked,
17 as required, to differentiate components of the Reclaimed
18 Water Irrigation System from the potable water system.

19 (C) Credit/Reimbursement for Oversized Facilities:

20 Should the Department determine that an extension to the
21 Reclaimed Water Distribution System can reasonably be expected
22 to serve properties other than that of the Property Owner, the
23 Department shall require that said Reclaimed Water
24 Distribution System extension be oversized and/or constructed
25 by the Property Owner in such a manner so as to facilitate and
26 enable reclaimed water service to be provided to additional
27 properties. The Property Owner shall be credited/reimbursed
28 for said required oversizing in accordance with the provisions
29 set forth in the UPAP.

1 (D) Plan Review and Construction Inspection:

2 The Department shall review and approve the plans and
3 specifications for, and will inspect the installation of, the
4 Reclaimed Water Distribution System to be installed by the
5 Property Owner. Said review, approval and inspection by the
6 Department does not relieve the Property Owner of the
7 responsibility of designing and constructing the Reclaimed
8 Water Distribution System in accordance with the minimum
9 design and construction standards as set forth in the UPAP.

10 **Section 10. Connection to the Reclaimed Water Distribution**
11 **System**

12 (A) Meters Required:

13 Meters are required on all reclaimed water service
14 connections. No person or property shall have access to the
15 Reclaimed Water Distribution System or use reclaimed water
16 without delivery of same through a meter. All reclaimed water
17 meters shall be furnished and installed by an employee or
18 authorized person of the Department, and shall remain the
19 property of the Department. The Customer shall abide by the
20 provisions as set forth in the UPAP pertaining to meters.

21 (B) Service Initiation:

22 Prior to connecting to the Reclaimed Water Distribution
23 System, all persons shall make application for reclaimed water
24 service to the Department in accordance with the provisions as
25 set forth in the UPAP for service activation. Said
26 application for reclaimed water service shall be supplemented
27 by any plans, specifications or other information deemed
28 necessary by the Director. All applicable fees as set forth
29 in the UPAP shall be paid to the Department prior to the

1 approval of any such connection to the Reclaimed Water
2 Distribution System.

3 (C) Rules, Regulations and Fees:

4 The Department may establish, revise, modify and enforce
5 rules, regulations and fees pertaining to the provision of
6 reclaimed water service. Such rules, regulations, and fees,
7 which are subject to the approval of the Palm Beach County
8 Board of County Commissioners, are set forth in the UPAP, and
9 shall be binding upon all Property Owners, Customers, agents,
10 and assigns required to use and/or using reclaimed water.

11 (D) Operation and Maintenance Responsibilities for the
12 Reclaimed Water Irrigation System:

13 The operation and maintenance of the Reclaimed Water
14 Irrigation System shall be the sole responsibility of the
15 Customer and/or Property Owner utilizing reclaimed water from
16 said System. The Customer and/or Property Owner shall provide
17 reasonable access to the Department for periodic inspections
18 of the operation and maintenance of the Reclaimed Water
19 Irrigation System. Failure by the Customer and/or Property
20 Owner to properly operate and maintain said Reclaimed Water
21 Irrigation System in accordance with federal, state, and local
22 laws, rules and regulations, including the UPAP, shall
23 constitute a violation of this Ordinance and be subject to
24 enforcement action as set forth hereinbelow.

25 **Section 11. Approved Uses of Reclaimed Water**

26 Reclaimed water shall be used in accordance with
27 applicable federal, state, and local laws, rules and
28 regulations. Pursuant to this Ordinance, reclaimed water may

1 be used for irrigation of residential and non-residential
2 lawns, golf courses, cemeteries, parks, landscaped areas,
3 edible crops (as set forth in Chapter 62-610, Florida
4 Administrative Code), highway medians, dust control on
5 construction sites, mixing of concrete, and cleaning of roads
6 and sidewalks. Any other use of reclaimed water must be
7 approved in writing by the Director prior to said usage.

8 **Section 12. Damage to the Reclaimed Water Distribution System**

9 No person shall maliciously, willfully or negligently
10 break, damage, destroy, uncover, or deface any structure,
11 appurtenance or equipment which is part of the Reclaimed Water
12 Distribution System. All costs to repair any damage to the
13 Reclaimed Water Distribution System and/or all costs
14 associated with additional treatment or alternative disposal
15 requirements resulting from said action, shall be assessed to
16 the person(s) responsible.

17 **Section 13. Prohibitions for use of Reclaimed Water and the**
18 **Reclaimed Water Distribution System**

19 No person shall use reclaimed water unless in accordance
20 with federal, state, or local laws, rules, or regulations.

21 Pursuant to this Ordinance, no person shall:

22 (A) Use potable water, wells or surface water withdrawal
23 for irrigation of landscaped areas where the use of reclaimed
24 water is mandatory as set forth hereinabove in this Ordinance.

25 (B) Utilize above ground hose bibs. Hose bibbs shall be
26 located in lockable, below grade vaults and clearly marked as

1 being of non-potable quality. All vault covers shall be
2 color-coded purple and shall be kept locked when not in use.

3 (C) Use reclaimed water for the filling of swimming
4 pools, hot tubs, wading pools, or decorative fountains.

5 (D) Pipe reclaimed water into or use reclaimed water
6 inside of any building or structure.

7 (E) Cut and/or remove a Department installed lock; tamper
8 with the meter, bypass, or reverse a reclaimed water meter;
9 use, alter or make any connection to the Reclaimed Water
10 Distribution System unless prior written approval has been
11 given by the Director, and an employee or authorized person of
12 the Department is present at the time of said approved action.

13 (F) Sell, barter, trade or otherwise transfer reclaimed
14 water to any other person or entity.

15 (G) Cause a cross connection between a potable water
16 supply and the Reclaimed Water Distribution System or the
17 Reclaimed Water Irrigation System, or violate a provision or
18 requirement of the UPAP pertaining to backflow prevention or
19 cross connection control.

20 **Section 14. Special Assessments**

21 Special assessments may be levied upon property specially
22 benefitting from the construction of the Reclaimed Water
23 Distribution System in accordance with the Palm Beach County
24 Water and Sewer Special Assessment Ordinance, as amended, and
25 the UPAP.

1 **Section 15. Authority to Lien Property for Unpaid Fees**

2 Pursuant to section 125.01, Florida Statutes, and subject
3 to the provisions of section 125.485 Florida Statutes, should
4 any fees or rates provided for herein not be paid as and when
5 due, and be in default for ninety (90) days or more, the Board
6 of County Commissioners may cause a lien for said unpaid
7 amount to be filed on the parcel of property to which said
8 service was provided or made available.

9 **Section 16. Enforcement Action**

10 (A) Immediate threat to public health. The Director may
11 issue a Stop Usage Notice requiring the Customer and/or
12 Property Owner to immediately cease using reclaimed water if
13 said usage is deemed to present or cause an immediate threat
14 or substantial endangerment to the health, safety or welfare
15 of the public, to the environment, or to the operations of the
16 County's Reclaimed Water Distribution System. Any such
17 finding shall be included in the Director's notification to
18 cease usage of said reclaimed water. Should the Customer not
19 comply with the Stop Usage Notice, the Department may
20 immediately discontinue service of reclaimed water to the
21 property. All expenses incurred by the Department to
22 discontinue said service and/or any and all damages associated
23 with the use of the reclaimed water shall be borne by the
24 Customer and/or Property Owner.

25 (B) Other violations. Notwithstanding the provisions as
26 set forth in Paragraph (A) hereinabove, the Director shall,
27 upon discovery of a violation of this Ordinance, notify the
28 Customer and/or Property Owner of said violation by certified

1 mail or by placing a notice on the property or by any other
2 reasonable means. The notice of violation shall set forth the
3 specific violation, the corrective action to be taken by the
4 Customer and/or the Property Owner, and the period of time by
5 which the Customer and/or Property Owner must correct the
6 violation. Should the Customer and/or Property Owner not
7 correct said violation within the designated period of time,
8 the Department shall discontinue service of reclaimed water to
9 the property until said violation is corrected and all fees
10 associated with the disconnection and/or reconnection of
11 service to said property are paid in full by the Customer
12 and/or Property Owner.

13 **Section 17. Judicial Enforcement**

14 Should any Customer or Property Owner violate any
15 provision of this Ordinance, the County may commence an action
16 for appropriate legal and/or equitable relief in the Circuit
17 Court for Palm Beach County. It is the purpose of this
18 Ordinance to provide additional cumulative remedies.

19 (A) Injunctive relief. Whenever a Customer or Property
20 Owner has violated or continues to violate any provision of
21 this Ordinance, the County may petition the Circuit Court for
22 Palm Beach County to issue a temporary or permanent injunction
23 or both, as may be appropriate, to restrain or compel the
24 specific performance of the requirement imposed by this
25 Ordinance. Such other actions which are appropriate for legal
26 and/or equitable relief may also be sought by the County. A
27 petition for injunctive relief need not be filed as a

1 prerequisite to taking any other action against a Customer or
2 Property Owner by the Department.

3 (B) Penalties. Failure to comply with the provisions as
4 set forth in this Ordinance shall constitute a violation of a
5 county ordinance and shall be punished, upon conviction,
6 pursuant to Section 125.69(1), Florida Statutes, by a fine not
7 to exceed Five Hundred Dollars (\$500.00) or by imprisonment in
8 the county jail not to exceed sixty (60) days or by both such
9 fine and imprisonment.

10 **Section 18. Savings Clause**

11 This Ordinance shall supplement but shall not impair any
12 Reclaimed Water Development Agreement executed prior to the
13 effective date of this Ordinance by or on behalf of the Board
14 of County Commissioners of Palm Beach County.

15 **Section 19. Repeal Of Laws In Conflict**

16 All local laws and ordinances in conflict with any
17 provision of this Ordinance are hereby repealed to the extent
18 of any such conflict.

19 **Section 20. Severability**

20 If any provision, article, paragraph, sentence, clause,
21 phrase, or word of this Ordinance is for any reason held by
22 the Court to be unconstitutional, inoperative or void, such
23 holding shall not affect the remainder of this Ordinance.

1 **Section 21. Inclusion in the Code of Laws and Ordinances**

2 The provisions of this Ordinance shall become and be made
3 a part of the Code of Laws and Ordinances of Palm Beach
4 County, Florida. The articles and sections of this Ordinance
5 may be renumbered or relettered to accomplish such, and the
6 word "Ordinance" may be changed to "Section", "Article", or
7 other appropriate word.

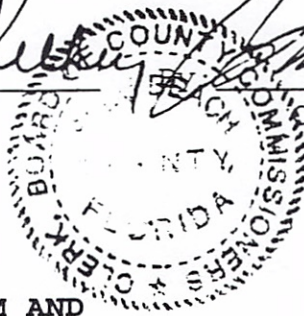
8 **Section 22. Effective date**

9 The provisions of this Ordinance shall become effective
10 upon filing with the Department of State.

11 **APPROVED AND ADOPTED** by the Board of County Commissioners
12 of Palm Beach County, on the 20th day of
13 May , 19 97 .

14 **ATTEST:** **PALM BEACH COUNTY, FLORIDA, BY ITS**
15 **DOROTHY H. WILKEN, CLERK** **BOARD OF COUNTY COMMISSIONERS**

16 By: Sharon J. Kellum Chairman
17 Deputy Clerk



18 **APPROVED AS TO FORM AND**
19 **LEGAL SUFFICIENCY**

20 By: Kathleen M. Scallott
21 County Attorney

22 **EFFECTIVE DATE:** Filed with the Department of State on the

23 23 day of May , 1997.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on 5/30/97
DATED at West Palm Beach, FL on 5/20/97.
DOROTHY H. WILKEN, Clerk
By: Phyllis A. House D.C.